

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE

MARK AUSTIN ROSETTA,

Debtor,

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CASE NO. 24-30092

**WOODLAKE FOREST II HOMEOWNERS ASSOCIATION, INC.'S
NOTICE OF HEARING AND CERTIFICATE OF SERVICE**

Woodlake Forest II Homeowners Association, Inc.'s Amended Motion to Dismiss Bankruptcy for Debtor Abuse (Docket Entry No. 49) is set for hearing on **June 5, 2024, at 1:30 P.M., in Courtroom 403, at 515 Rusk Street, Houston, Texas 77002.**

You *must* file and serve your response to the Amended Motion to Dismiss by MAY 31, 2024, at 5:00 P.M. Your response must state why the motion should not be granted. If you do not file a timely response, the relief may be granted without further notice to you. Requested relief that is unopposed by written response prior to the response deadline may be ruled on without the necessity of a hearing. If you do not file a response, the Court may grant or deny any relief sought in the Motion to Dismiss Bankruptcy without hearing based on responsive pleadings.

IF YOU OPPOSE THE MOTION, YOU MUST ATTEND THE HEARING on June 5, 2024, at 1:30 P.M., in Courtroom 403, at 515 Rusk Street, Houston, Texas 77002. Unless the parties agree otherwise, the court may consider evidence at the hearing and may decide the motion at the hearing. Represented parties should act through their attorney.

THE AMENDED MOTION TO DISMISS SEEKS AN ORDER THAT WILL ADVERSELY AFFECT YOU. If you oppose the motion, you should immediately contact the moving party to resolve the dispute. If you and the moving party cannot agree, you must file a response and send a copy to the moving party. AS NOTED ABOVE, YOU MUST FILE AND SERVE YOUR RESPONSE BY MAY 31, 2024, at 5:00 P.M., AND YOUR RESPONSE MUST

STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. YOU MUST ALSO ATTEND THE HEARING ON JUNE 5, 2024, AT 1:30 P.M.

A copy of the Court's **ORDER RESETTING HEARING** (Docket Entry No. 59) is attached here.

Respectfully Submitted,

HOLTTOLLETT, P.C.



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Southern District No.: 2792721
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Houston, Texas 77024
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CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the foregoing was served on the following parties, by certified mail, by first class mail, by electronic service via the Court's ECF filing system (if registered), and by email where noted, on this May 13, 2024, as follows:

Debtor:

Mark Austin Rosetta, Debtor
9374 Briar Forest Drive
Houston, Texas 77063; *and,*

Mark Austin Rosetta

12976 Westheimer Road, Apartment 1410
Houston, Texas 77077; *and*,

marked@gmail.com.

Trustee:

Allison D Byman, Chapter 7 Trustee
Byman & Associates PLLC
7924 Broadway
Suite 104
Pearland, Texas 77581

Examiner:

[NONE APPOINTED]

Twenty (20) Largest Unsecured Creditors:

CA Franchise Tax Board
Bankruptcy Section
P.O. Box 2952
Sacramento, California 95812

Carlos and Lucia Guedez
9372 Briar Forest Drive
Houston, Texas 77063

City of Houston
1400 Lubbock Street
Houston, Texas 77002

Memorial Hermann Healthcare System
929 Gessner Drive, Suite 2600
Houston, Texas 77024

JP Morgan Chase
P.O. Box 15369
Wilmington, Delaware 19850

Synchrony Bank/Wal Mart
P.O. Box 71746
Philadelphia, Pennsylvania, 19176

Best Buy/CBNA
P.O. Box 6497
Souix Falls, North Dakota 57117

Cirro Energy
P.O. Box 2229
Houston, Texas 77252

Mercantile Adjustment Bureau
165 Lawrence Bell Drive, Suite 100
Williamsville, New York 14221

Creditors With an Interest in Real Property:

Harris County Tax Collector
P.O. Box 4663
Houston, Texas 77210

Carlos and Lucia Guedez
9372 Briar Forest Drive
Houston, Texas 77063

Parties Claiming a Lien on the Subject Property:

Carlos and Lucia Guedez
9372 Briar Forest Drive
Houston, Texas 77063

United States Trustee:

Office of the US Trustee
515 Rusk Avenue, Suite 3516
Houston, Texas 77002

ENTERED

May 13, 2024

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION****IN RE:****MARK AUSTIN ROSETTA,****Debtor.**§
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§**CASE NO: 24-30092****CHAPTER 7****ORDER RESETTING HEARING**

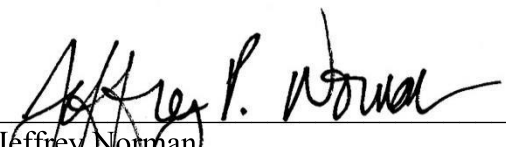
This matter is before the Court on Woodlake Forest II Homeowners Association, Inc.'s Motion to Dismiss Mark Austin Rosetta's Bankruptcy (ECF No. 49) filed on May 7, 2024. The movant self-calendared this matter for hearing on May 15, 2024 at 1:30 p.m., giving only 8 days' notice. When an amended pleading is filed, it supersedes the original pleading and must be self-calendared with the appropriate response deadline. Pursuant to this Court's procedures posted on its website, all motions must give 24 days' negative notice of any hearing. This procedure is based on the rules governing the computation of time for service in Bankruptcy Rule 9006. Therefore, the hearing must be reset.

Hearing is reset on Woodlake Forest II Homeowners Association, Inc.'s Motion to Dismiss Mark Austin Rosetta's Bankruptcy (ECF No. 49) at 1:30 p.m. on June 5, 2024, in Courtroom 403, United States Courthouse, 515 Rusk St., Houston, Texas. The response deadline is 5:00 p.m. on May 31, 2024. Requested relief that is unopposed by written response prior to the response deadline may be ruled on without the necessity of a hearing. The Court may grant or deny any relief sought in any motion/application or objection without hearing based on responsive pleadings. The movant shall serve a copy of this order on all affected parties within 24 hours and file a certificate of service; **or** file and serve a hearing notice within 24 hours, which must include the response deadline.

Parties should reference the Court's website for in person hearing requirements as there are new trial and hearing procedures.¹

SO ORDERED.

SIGNED 05/13/2024



 Jeffrey Norman
 United States Bankruptcy Judge

¹ <https://www.tx.uscourts.gov/page/united-states-bankruptcy-judge-jeffrey-p-norman>